

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Sheffield

H.B. No. 1978

A BILL TO BE ENTITLED

AN ACT

relating to physician assistant services performed as volunteer care.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 204.2045, Occupations Code, is amended to read as follows:

Sec. 204.2045. VOLUNTEER CARE AND SERVICES PERFORMED DURING DISASTER. (a) The supervision and delegation requirements of this chapter and Subtitle B do not apply to medical tasks performed by a physician assistant:

(1) during a disaster under the state emergency management plan adopted under Section 418.042, Government Code;

(2) during [~~7-01~~] a disaster declared by the governor or United States government; or

(3) as a volunteer for a charitable organization or at a public or private event, including a religious event, sporting event, community event, or health fair.

(a-1) This section does not apply to medical tasks performed by a physician assistant for compensation or other remuneration.

(b) A physician assistant performing medical tasks under this section:

(1) is entitled to the immunity from liability provided by Section 74.151, Civil Practice and Remedies Code; and

(2) is acting within the scope of the physician

1 assistant's license for purposes of immunity under Section  
2 84.004(c), Civil Practice and Remedies Code.

3 (c) A physician assistant may perform tasks described by  
4 this section:

5 (1) under the supervision of any physician who is also  
6 performing volunteer work in the disaster, for the charitable  
7 organization, or at the public or private event; or

8 (2) without the supervision of a physician, if a  
9 physician is not available to provide supervision.

10 (d) A physician assistant employed by the United States  
11 government or licensed in another state may perform medical tasks  
12 in this state in circumstances described by Subsection (a) without  
13 holding a license in this state.

14 SECTION 2. Section 204.2045, Occupations Code, as amended  
15 by this Act, applies only to services performed on or after the  
16 effective date of this Act. Services performed before that date are  
17 governed by the law in effect on the date the services were  
18 performed, and the former law is continued in effect for that  
19 purpose.

20 SECTION 3. This Act takes effect September 1, 2017.

ADOPTED

V V  
MAY 23 2017

*Harry Spaw*  
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY:

*D. Burling*

1 Amend H.B. No. 1978 (senate committee report) in SECTION 1 of  
2 the bill, in Subsection (d) of amended Section 204.2045,  
3 Occupations Code (page 1, line 53), by striking "Subsection (a)"  
4 and substituting "Subsection (a)(1) or (2) [~~Subsection (a)~~]".

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 23, 2017**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1978** by Sheffield (Relating to physician assistant services performed as volunteer care.), **As Passed 2nd House**

<b>No significant fiscal implication to the State is anticipated.</b>
---

The bill would amend the Occupations Code relating to physician assistant services performed as volunteer care. The bill would authorize a physician assistant to perform certain medical tasks while the physician assistant is providing care as a volunteer and modifies civil immunity provisions for a physician assistant.

The Texas Medical Board anticipates any additional work resulting from the passage of the bill could be reasonably absorbed within current resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 503 Texas Medical Board

**LBB Staff:** UP, KCA, EH, EK

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 8, 2017**

**TO:** Honorable Charles Schwertner, Chair, Senate Committee on Health & Human Services

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1978** by Sheffield (Relating to physician assistant services performed as volunteer care.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Occupations Code relating to physician assistant services performed as volunteer care. The bill would authorize a physician assistant to perform certain medical tasks while the physician assistant is providing care as a volunteer and modifies civil immunity provisions for a physician assistant.

The Texas Medical Board anticipates any additional work resulting from the passage of the bill could be reasonably absorbed within current resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 503 Texas Medical Board

**LBB Staff:** UP, KCA, EH, EK

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**March 27, 2017**

**TO:** Honorable Four Price, Chair, House Committee on Public Health

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1978** by Sheffield (Relating to physician assistant services performed as volunteer care.), **As Introduced**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
--

The bill would amend the Occupations Code relating to physician assistant services performed as volunteer care. The bill would authorize a physician assistant to perform certain medical tasks while the physician assistant is providing care as a volunteer and modifies civil immunity provisions for a physician assistant.

The Texas Medical Board anticipates any additional work resulting from the passage of the bill could be reasonably absorbed within current resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 503 Texas Medical Board

**LBB Staff:** UP, KCA, EH, EK